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RCG/3626  
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REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
Filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/728,693
Filing Date	December 1, 2000
First Named Inventor	Paul E. JACOBS
Group Art Unit	3622
Examiner Name	R. Alvarez
Attorney Docket Number	000384

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000). 183 D. G. Pat. Office 47 (Apr. 11, 2000), which estimated RCE practice.

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OCT 25 2004

GROUP 3600

1. Submission required under 37 C.F.R. § 1.114

- a.  Previously submitted
- i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on
  - iii.  Other
- b.  Enclosed
- i.  Amendment/Reply (14 pages)
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (2 pages); PTO Form 1449 (1 page, 1 duplicate); 21 References
  - iv.  Other: Return Postcard

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2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b.  Other

3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 which the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 17-0026.
- i.  RCE fee required under 37 C.F.R. § 1.17(e) \$790.00
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.117) 3 months \$980.00
  - iii.  Other
- b.  Check in the amount of \$ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed) 02 FC:1253 980.00 DA
- 10/21/2004 RFEKADU1 00000124 170026 09728693

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Date	October 18, 2004	Signature	
			Robert J. O'Connell, Reg. No. 44,265 (858) 651-4361

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print Type)	Tami M. Procopio	Date	October 18, 2004
Signature			

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